

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CLAUDE A. REESE, Individually and on
Behalf of All Others Similarly Situated,

Plaintiff,

vs.

THE MCGRAW-HILL COMPANIES, INC.,
HAROLD MCGRAW III and ROBERT J.
BAHASH,

Defendants.

x

: Civil Action No. 1:08-cv-07202-PKC
:
: LEAD PLAINTIFF'S UNOPPOSED
: MOTION TO ESTABLISH BRIEFING
: SCHEDULE ON AMENDED
: CONSOLIDATED CLASS ACTION
: COMPLAINT

x

Lead Plaintiff Boca Raton Firefighters and Police Pension Fund, individually and on behalf of all others similarly situated (“Plaintiff”), hereby moves the Court to establish a briefing schedule on Plaintiff’s Amended Consolidated Class Action Complaint for Securities Fraud (the “Amended Consolidated Complaint”). In support of this motion Plaintiff states:

1. This action is a securities fraud class action brought by Lead Plaintiff pursuant to §§10(b) and 20(a) of the Securities Exchange act of 1934 and Rule 10b-5 promulgated thereunder.

2. This action was originally filed in the U.S. District Court for the District of Columbia on August 28, 2007, when plaintiff Claude A. Reese filed his Complaint for Breach of Fiduciary Duty (the “Initial Complaint”). Following the appointment of Lead Plaintiff pursuant to the Private Securities Litigation Reform Act of 1995 (the “PSLRA”), Lead Plaintiff filed its Consolidated Class Action Complaint for Securities Fraud on May 7, 2008 (the “Consolidated Complaint”), which superseded the Initial Complaint.

3. The Consolidated Complaint alleges that The McGraw-Hill Companies, Inc., (“McGraw-Hill”), Harold McGraw III (“McGraw”), and Robert J. Bahash (“Bahash”) (hereinafter collectively referred to as “Defendants”), made materially false and misleading statements to investors and the market between July 26, 2006 and March 11, 2008, inclusive (the “Class Period”) regarding, among other things, McGraw-Hill’s ratings of residential mortgage-backed securities (“RMBS”) and collateralized debt obligations (“CDOs”).

4. On June 10, 2008, Defendants filed a Consent Motion to Transfer Venue of Action to the Southern District of New York (the “Motion to Transfer”). On June 19, 2008, the United States District Court for the District of Columbia granted Defendants’ Motion to Transfer and the case was transferred to this Court.

5. Plaintiff is currently preparing the Amended Consolidated Complaint, which will include newly discovered evidence concerning Defendants' alleged fraudulent scheme regarding the ratings of RMBS and CDOs, as well as detail concerning post-Class Period events that Plaintiff believes further support allegations that Defendants' Class Period statements were false and misleading.

6. This additional amendment is not sought in bad faith or for the purposes of delay. The filing of the Amended Consolidated Complaint will not prejudice Defendants, who have consented in writing to its filing. Defendants do not oppose the relief requested herein.

7. On June 9, 2008 and thereafter, counsel for the parties conferred concerning Plaintiff's forthcoming Amended Consolidated Complaint and entered into the following agreement:

(a) Plaintiff's Amended Consolidated Complaint will be due 45 days from the Court's Order on this Motion;

(b) Defendants' response to the Amended Consolidated Complaint will be due 60 days from the date of filing of the Amended Consolidated Complaint;

(c) In the event Defendants move to dismiss the Amended Consolidated Complaint, Plaintiff's opposition to Defendants' motion(s) to dismiss will be due 60 days from the filing of the motion(s) to dismiss; and

(d) Defendants' reply to Plaintiff's opposition to the motion(s) to dismiss will be due 30 days from the filing of the opposition.

WHEREFORE, for the foregoing reasons, Plaintiff respectfully requests that this Court enter an Order establishing the above-referenced schedule for Plaintiff's Amended Consolidated Complaint and granting such other and further relief as the Court deems just and proper.

DATED: August 29, 2008

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CERTIFICATE OF SERVICE

I hereby certify that on August 29, 2008, I caused a true and correct copy of the foregoing document to be served electronically using the CM/ECF system which will send notification of such filing to all counsel registered to receive such notice, and I hereby certify that I have mailed the foregoing document *via* the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

/s/ David A. Rosenfeld

DAVID A. ROSENFELD

MCGRAW-HILL (LEAD)

Service List - 8/29/2008 (07-0216)

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